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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,579	03/08/2002	Matthew Darwin	551P09US-1	1107
7590	10/06/2005		EXAMINER	
Shapiro Cohen P.O. Box 3440 Station D Ottawa, K1P 6P1 CANADA			ISMAIL, SHAWKI SAIF	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/092,579

Applicant(s)

DARWIN ET AL.

Examiner

Shawki S. Ismail

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-20 and 22-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-20 and 22-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

RESPONSE TO AMENDMENT

1. This communication is responsive to the amendment received on July 11, 2005. Claims 1, 5, 11-14, 16-20, 22-26 have been amended, claims 7, and 21 have been cancelled, claims 1-6, 8-20, and 22-26 are pending.

The New Grounds of Rejection

2. Applicant's amendment and arguments with respect to claims 1-6, 8-20, and 22-26 filed on July 11, 2005 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 1 recites the limitation "...informs the client of the address..." in step (d).

There is insufficient antecedent basis for this limitation in the claim.

6. Claim 1 recites "...sending a redirect message to the client which informs the client of the address to which to request itself..." in step (d). It is unclear what is meant by "request itself."

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-6, 8-20, and 22-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over **UK Patent Application GB 2330991A** (hereinafter 991 application) and in view of **Bhagavath et al., U.S. Patent No. 6,163,810** (hereinafter Bhagavath).

9. As to claim 1, the 991 application teaches a method for providing a proxy service in a computer network, comprising the steps of:

(a) receiving a request to access a device from a client (Page 2 lines 1-13, the proxy server receives a request from a requesting computer to access a recipient computer),

(b) determining a path to the device (Page 4, lines 17-25, data is communicated using a datagram which comprise a header portion which contain the IP address of the source and the destination of the datagram),

(c) ascertaining what firewall rules exist for that given path (Page 4, lines 27-33, each router (which provides firewall functions) in the computer network comprises a routing table 260, which controls the admission of datagrams from source IP addresses on a first sub-network to destination IP addresses on a second sub-network),

(e) enabling the request received by the client to communicate with the device (Page 5, lines 13-37);

the 991 application does not explicitly teach (d) redirecting the client to the appropriate proxy, if any is needed, for that path by sending a redirect message to the client which informs the client of the address to which to request itself.

Bhagavath teaches providing an interface between a unicast host and a multicast hose over a network and in particular to the coordinated use of multi-case-unicast gateway (MUGs) to provide multicast-unicast interfaces in a way that makes efficient use of a network bandwidth. Bhagavath further teaches sending a redirect message from a first MUG to the unicast host that conveys the identity of the unicast host's designated MUG (col. 5, lines 52-67, col. 6, lines 1-27).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Bhagavath into the invention of the 991 application in order to redirect the client device to appropriate devices address by which to gain access to a particular resource in an efficient and timely manner.

10. As to claim 2, the 991 application teaches the method of claim 1 wherein the ascertaining step comprises the step of using a network inventory to describe the devices that are to be considered by the proxy (Page 4, lines 27-33, the routing table contains a list of source and destination devices and whether the request is from the source to the destination is originating from inside the intranet or outside the intranet).

11. As to claim 3, the 991 application teaches the method of claim 1 wherein the ascertaining step comprises the step of using device attributes apart from the native

device IP address to select the device (Page 4, lines 27-33, the routing table contains a list of source and destination devices and whether the request is from the source to the destination is originating from inside the intranet or outside the intranet).

12. As to claim 4, the 991 application teaches the method of claim 1 wherein the ascertaining step comprises the step of using an inventory of devices to distinguish devices that have IP numbering or network conflicts (Page 5, lines 13-37, the source and destination of the datagrams, if a criteria is not met in the routing table then it is denied access otherwise it passes).

13. As to claim 5, the 991 application teaches the method of claim 1 wherein the ascertaining step comprises the step of using physical topology information to determine the location of a device (Fig. 2, Fig. 4, Fig. 5, Page 5, lines 13-37).

14. As to claim 6, the 991 application teaches the method of claim 1 wherein the ascertaining step comprises the step of using physical topology information to determine and discriminate between non-routable networks with conflicting address information (Page 5, lines 13-37, the routing table restrict access to some datagrams and allows access to others depending on whether they satisfy certain criteria).

15. As to claim 8, the 991 application teaches the method of claim 1 further including propagating path information to proxies (Page 5, lines 13-37, the path that the datagram needs to traverse will be provided to the proxy server so that it will arrive at the proper destination).

16. As to claim 9, the 991 application teaches the method of claim 1 further including authenticating for the client (Page 6, lines 16-26).

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17. As to claim 10, the 991 application teaches the method of claim 1 further including authenticating between proxies (Page 6, lines 16-26).

18. As to claim 11, the 991 application teaches the method of claim 1 further including informing the remote proxy server of the client address (Page 5, lines 13-37, the proxy server is given provided with the source and destination addresses).

19. As to claim 12, the 991 application teaches the method of claim 1 further including informing the remote proxy server of the destination address (Page 5, lines 13-37, the proxy server is given provided with the source and destination addresses).

20. As to claim 13, the 991 application teaches the method of claim 1 further including determining the remaining path to be traversed for a given proxy (see table on page 5, page 5, the type of request facilitate the type of processing and ultimately the path that needs to be taken to reach the destination).

21. As to claim 14, the 991 application teaches the method of claim 1 further including a means of making proxy paths recursive (see table on page 5, page 5, lines 13-37, if similar multiple requests arrive they will be processed in a similar manner according to the criteria in the table; thereby making the proxy paths recursive).

22. As to claim 15, the 991 application teaches the method of claim 1 further including creating a communications channel between proxies (Page 1, lines 18-25).

23. As to claim 16, the 991 application teaches the method of claim 1 further including having an HTTP protocol request go from the client to the destination (see table on page 5 and page 5, lines 13-37).

24. As to claim 17, the 991 application teaches the method of claim 1 further including having an HTTP protocol response go from the destination to the client (see table on page 5 and page 5, lines 13-37).

25. As to claim 18, the 991 application teaches the method of claim 1 wherein when the service is performed, appear to the destination as coming from the source (Page 6, lines 28-33, the user terminal receives the datagrams with the fields marked as if they were sent directly by the remote server and not through the proxy server).

26. As to claim 19, the 991 application teaches the method of claim 16 further including maintaining authentication between client and proxy after the HTTP request has completed (Page 6, lines 28-33, In one part embodies the proxy server is integral to the router; thereby allowing the connection to remain between the proxy server and the user terminal over multiple TCP requests).

27. As to claim 20, the 991 application teaches the method of claim 17 further including maintaining authentication between proxies after the HTTP request has completed (Page 6, lines 28-33, In one part embodies the proxy server is integral to the router; thereby allowing the connection to remain between the proxy server and the user terminal over multiple TCP requests).

28. As to claim 22, it teaches the exact same limitation as claim 15; therefore, it is rejected under the same rationale.

29. As to claim 23, the 991 application teaches the method of claim 1 further including having a TCP response go from the destination to the client (see table on page 5, Page 5, lines 13-37).

30. As to claim 24, it teaches the exact same limitation as claim 18; therefore, it is rejected under the same rationale.

31. As to claim 25, the 991 application teaches the method of claim 22 further including maintaining authentication between client and proxy after the TCP request has completed (Page 6, lines 28-33, In one part embodies the proxy server is integral to the router; thereby allowing the connection to remain between the proxy server and the user terminal over multiple TCP requests).

32. As to claim 26, the 991 application teaches the method of claim 23 further including maintaining authentication between proxies after the TCP request has completed (Page 6, lines 28-33, In one part embodies the proxy server is integral to the router; thereby allowing the connection to remain between the proxy server and the user terminal over multiple TCP requests).

Response to Arguments

33. Applicant's arguments with respect to claim 1-6, 8-20, and 22-26 have been considered but are moot in view of the new ground(s) of rejection.

34. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

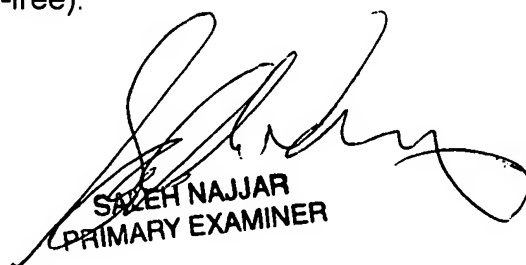
Contact Information

35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
October 3, 2005



SALEH NAJJAR
PRIMARY EXAMINER